

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

OYSTER OPTICS, LLC,	§ § § § §
<i>Plaintiff,</i>	§ § § § §
v.	§ § §
CORIANT AMERICA INC. et al.,	§ 2:16-cv-1302-JRG § LEAD CASE
CIENA CORPORATION,	§ 2:17-cv-511-JRG

Defendants.

CONSOLIDATION ORDER

The above-captioned cases are hereby **ORDERED** to be **CONSOLIDATED** for all pretrial issues (except venue) with the LEAD CASE, Cause No. 2:16-cv-1302. All parties are instructed to file any future filings (except relating to venue) in the LEAD CASE. Individual cases remain active for venue determinations and trial. The Court will enter one docket control order, one protective order, and one discovery order that will govern the entire consolidated case.

The existing Docket Control Order in lead case 2:16-cv-1302 shall continue to apply without modification to this newly-consolidated case, based on the parties' agreement. (*See* C.A. No. 2:16-cv-1302, Dkt. No. 97.) Likewise, the existing Discovery Order and Protective Order shall also continue to govern the newly-consolidated case. Moreover, the mediator previously appointed for this case (*see* C.A. No. 2:16-cv-1302, Dkt. No. 52), shall serve as the mediator in member case 2:17-cv-511.

The local rules' page limitations for *Markman* briefs and other motions will apply to the consolidated case. To further promote judicial economy and to conserve the parties' resources,

the Court encourages the parties to file a notice with the Court in the event that there are other related cases currently pending on the Court's docket that may also be appropriate for consolidation with this case.

The Clerk is instructed to add the consolidated defendants into the Lead Case and their corresponding Lead and Local Counsel only. Additional counsel may file a Notice of Appearance in the Lead Case if they wish to continue as counsel of record in the lead consolidated action. Counsel who has appeared *pro hac vice* in any member case may file a Notice of Appearance in the Lead Case without filing an additional application to appear *pro hac vice* in the Lead Case. Counsel who have not appeared in a member case at the point when it is consolidated into the Lead Case should file a Notice of Appearance only in the Lead Case, and such Notice should state the relevant member case.

So Ordered this

Jun 22, 2017



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE